

ASSEMBLY BILL

No. 317

Introduced by Assembly Member Charles Calderon

February 9, 2011

An act to amend Section 739.5 of the Public Utilities Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

AB 317, as introduced, Charles Calderon. Energy: master-meter customers.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations and gas corporations, as defined. Existing law requires, when gas or electric service is provided by a master-meter customer to users who are tenants of a mobilehome park, apartment building, or similar residential complex, that the master-meter customer charge each user at the same rate that would be applicable if the user were receiving gas or electricity directly from the gas or electrical corporation. Existing law requires every master-meter customer receiving any rebate from a gas or electrical corporation to distribute to, or credit to the account of, each current user served by the master-meter customer that portion of the rebate that the amount of gas or electricity, or both, consumed by the user during the last billing period bears to the total amount furnished by the corporation to the master-meter customer during that period.

This bill would provide that rebates do not include ratepayer funded incentives received by the master-meter customer as a result of investments in energy generation or efficiency, including the self-generation incentive program, the California Solar Initiative, and the Solar Water Heating and Efficiency Act of 2007.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 739.5 of the Public Utilities Code is
2 amended to read:

3 739.5. (a) The commission shall require that, whenever gas
4 or electric service, or both, is provided by a master-meter customer
5 to users who are tenants of a mobilehome park, apartment building,
6 or similar residential complex, the master-meter customer shall
7 charge each user of the service at the same rate that would be
8 applicable if the user were receiving gas or electricity, or both,
9 directly from the gas or electrical corporation. The commission
10 shall require the corporation furnishing service to the master-meter
11 customer to establish uniform rates for master-meter service at a
12 level that will provide a sufficient differential to cover the
13 reasonable average costs to master-meter customers of providing
14 submeter service, except that these costs shall not exceed the
15 average cost that the corporation would have incurred in providing
16 comparable services directly to the users of the service.

17 (b) Every master-meter customer of a gas or electrical
18 corporation subject to subdivision (a) who, on or after January 1,
19 1978, receives any rebate from the corporation shall distribute to,
20 or credit to the account of, each current user served by the
21 master-meter customer that portion of the rebate ~~which~~ *that* the
22 amount of gas or electricity, or both, consumed by the user during
23 the last billing period bears to the total amount furnished by the
24 corporation to the master-meter customer during that period. *For*
25 *purposes of this subdivision, "rebates" do not include ratepayer*
26 *funded incentives received by the master-meter customer as a*
27 *result of investments in energy generation or efficiency, including*
28 *incentives received pursuant to the self-generation incentive*
29 *program administered pursuant to Section 379.6, the California*
30 *Solar Initiative as defined in Section 2852, and the Solar Water*
31 *Heating and Efficiency Act of 2007 (Article 2 (commencing with*
32 *Section 2860) of Part 2).*

33 (c) An electrical or gas corporation furnishing service to a
34 master-meter customer shall furnish to each user of the service
35 within a submetered system every public safety customer service

1 which it provides beyond the meter to its other residential
2 customers. The corporation shall furnish a list of those services to
3 the master-meter customer who shall post the list in a conspicuous
4 place accessible to all users. Every corporation shall provide these
5 public safety customer services to each user of electrical or gas
6 service under a submetered system without additional charge unless
7 the corporation has included the average cost of these services in
8 the rate differential provided to the master-meter customer on
9 January 1, 1984, in which case the commission shall deduct the
10 average cost of providing these public safety customer services
11 when approving rate differentials for master-meter customers.

12 (d) Every master-meter customer is responsible for maintenance
13 and repair of its submeter facilities beyond the master-meter, and
14 nothing in this section requires an electrical or gas corporation to
15 make repairs to or perform maintenance on the submeter system.

16 (e) Every master-meter customer shall provide an itemized
17 billing of charges for electricity or gas, or both, to each individual
18 user generally in accordance with the form and content of bills of
19 the corporation to its residential customers, including, but not
20 limited to, the opening and closing readings for the meter, and the
21 identification of all rates and quantities attributable to each block
22 in the applicable rate structure. The master-meter customer shall
23 also post, in a conspicuous place, the applicable prevailing
24 residential gas or electrical rate schedule, as published by the
25 corporation.

26 (f) The commission shall require that every electrical and gas
27 corporation shall notify each master-meter customer of its
28 responsibilities to its users under this section.

29 (g) The commission shall accept and respond to complaints
30 concerning the requirements of this section through the consumer
31 affairs branch, in addition to any other staff that the commission
32 deems necessary to assist the complainant. In responding to the
33 complaint, the commission shall consider the role that the office
34 of the county sealer in the complainant's county of residence may
35 have in helping to resolve the complaint and, where appropriate,
36 coordinate with that office.

37 (h) Notwithstanding any other provision of law or decision of
38 the commission, the commission shall not deny eligibility for the
39 California Alternative Rates for Energy (CARE) program, created
40 pursuant to Section 739.1, for a residential user of gas or electric

1 service who is a submetered resident or tenant served by a
2 master-meter customer on the basis that some residential units in
3 the master-meter customer's mobilehome park, apartment building,
4 or similar residential complex do not receive gas or electric service
5 through a submetered system.

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